

REMARKS

This Application has been carefully reviewed. A Notice of Appeal accompanied with a Pre-Appeal Brief Request for Review was filed on January 9, 2007 (and received by the United States Patent and Trademark Office on January 16, 2007). Claims 1-26 were pending in the Application. In an Office Action dated October 10, 2006, Claims 1-5, 7, 9-24 and 26 were rejected, and Claims 6, 8 and 25 were objected to. In order to advance and expedite the prosecution of the present Application, Applicants cancel without prejudice or disclaimer Claims 1 and 24, Applicants amend Claims 2-7, 9, 11, 12, 15, 25 and 26, and Applicants add new Claims 27-31. Thus, Claims 2-23 and 25-31 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1-5, 7, 9-24 and 26 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,972,539 issued to Codilian et al. (hereinafter "*Codilian*"). Applicants respectfully traverse this rejection.

As an initial matter, in the Office Action, the listing of claims rejected in view of *Codilian* includes Claim 25 but omits Claim 26. However, the Office Action and a Notice of Panel Decision mailed February 6, 2007, each appear to indicate that Claim 25 is objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form, and that Claim 26 is rejected. Thus, Applicants presume that Claim 25 was listed, and Claim 26 was omitted from the list, in error for the 35 U.S.C. § 102 rejection in view of *Codilian*, and Applicants respond accordingly.

Claims 1 and 24 have been canceled without prejudice or disclaimer, thereby rendering the rejection of Claims 1 and 24 moot. Applicants have amended Claims 2-5, 7 and 9 to depend from Claim 6 (which, as indicated below, has been rewritten to independent form and, as such, is allowable). Claim 10 depends from Claim 9. Applicants have amended Claim 26 to depend from Claim 25 (which, as indicated below, has been rewritten to independent form and, as such, is allowable). Therefore, Applicants respectfully request that the rejection of Claims 2-5, 7, 9, 10 and 26 be withdrawn.

Of the remaining rejected claims, Claim 11 is independent. Claim 11, as amended, recites "a phase-locked loop comprising a phase comparator configured to compare a phase of the periodic signal to a phase of a commutation event of the fan, the phase-locked loop adapted to synchronize a zero level value of the periodic signal with the commutation event of the fan and phase-lock the periodic signal to the phase of the commutation event" (emphasis added). Applicants respectfully submit that *Codilian* does not disclose or even suggest the limitations of amended Claim 11. Therefore, Applicants respectfully submit that *Codilian* does not anticipate Claim 11.

Claims 12-23 that depend from independent Claim 11 are also not anticipated by *Codilian* at least because they incorporate the limitations of Claim 11 and also they add additional elements that further distinguish *Codilian*. Therefore, Applicants respectfully request that the rejection of Claims 11-23 be withdrawn.

CLAIM OBJECTIONS

Claims 6, 8 and 25 were objected to as being dependent on a rejected base claim (Claims 1 and 24, respectively). Applicants thank the Examiner for indicating that Claims 6, 8 and 25 would be allowable if rewritten in independent form. Applicants have rewritten Claims 6 and 25 to independent form as suggested by the Examiner. Claim 8 depends from Claim 6. Therefore, Applicants respectfully request that the objection to Claims 6, 8 and 25 be withdrawn.

NEW CLAIMS

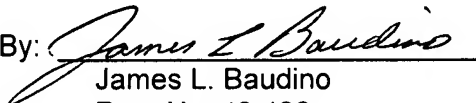
Applicants add new Claims 27-32. New Claims 28-32 depend from new independent Claim 27. Applicants respectfully submit that new Claims 27-32 are fully supported by the Application as originally filed, and Applicants respectfully submit that new Claims 27-32 are patentable over the cited art of record. Therefore, Applicants respectfully request allowance of new Claims 27-32.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and allowance of all pending claims.

An RCE filing fee of \$790.00 is believed due, along with a Petition for Extension of Time for two months of \$450.00 and an excess claim fee of \$400.00. The Director of Patents and Trademarks is hereby authorized to charge Deposit Account No. 08-2025 of Hewlett-Packard Company the amount of \$1640.00 to satisfy the RCE, Extension of Time and excess claim fees. If, however, Applicant has miscalculated the fee due with this RCE, the Director is hereby authorized to charge any fees or credit any overpayment associated with this RCE to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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